

1 Michael Berube, In Pro Per
2 P. O. Box 356
3 Carmel Valley, CA 93924
4 (831) 659-5476

FILED

MAY 20 2008

CLERK
United States Bankruptcy Court
San Jose, California

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7 **UNITED STATES BANKRUPTCY COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**
9

10 In re
11 MICHAEL BERUBE,

Case No. 08-50378
RS No.: MAW-295
(Chapter 7)

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14 **DEBTOR'S MOTION TO VACATE**
15 **ORDER GRANTING MOTION FOR**
16 **RELIEF FROM AUTOMATIC STAY**
17

18
19 Date: May 28, 2008

20 Time: 10:30 a.m.

21 Place: Courtroom 3099

22 280 South 1st Street

23 Debtor. San Jose, California
24

25 **TO THE HONORABLE ROGER L. EFREMSKY UNITED STATES**
26 **BANKRUPTCY JUDGE, CHAPTER 7 TRUSTEE, PITE DUNCAN, LLP, AND ALL**
27 **OTHER INTERESTED PARTIES:**
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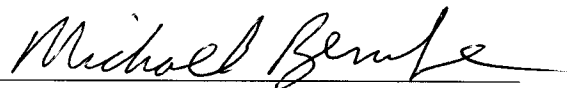
1 I, MICHAEL BERUBE, Debtor, move the court to Vacate that ORDER GRANTING
2 MOTION FOR RELIEF FROM AUTOMATIC STAY Entered on Docket April 30, 2008 on
3 the following grounds:

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5 Andrew Keadey, Mortgage Officer for Chase Home Finance and custodian of the books,
6 records, files and banking records of MORTGAGE ELECTRONIC REGISTRATION
7 SYSTEMS, INC., SOLELY AS NOMINEE FOR ALLIANCE BANCORP, its successors
8 and/or assigns, has executed his signature on four (4) separate declarations containing untrue
9 and incorrect statements in connection with Debtor's Chapter 7 Bankruptcy Case No. 08-
10 50378-RLE.

11
12 A DECLARATION IN SUPPORT OF MOTION FOR RELIEF FROM AUTOMATIC STAY
13 needs to made with the utmost care to represent facts completely and accurately so as to
14 uphold the integrity of the judicial system especially when decisions formed on said
15 declarations carry serious implications and consequences for the parties.

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17 I, MICHAEL BERUBE, Debtor, am requesting that the ORDER GRANTING RELIEF FROM
18 THE AUTOMATIC STAY be vacated and that any scheduled sale of the real property located
19 at 9 Sonoma Lane, Carmel CA be enjoined pending a trial and adjudication on the facts.

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21 I declare that if called as a witness, I could testify competently to the truth of the foregoing and
22 the foregoing is executed under penalty of perjury this 20th day of May, 2008, in Monterey
23 County, CA.

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26 Michael Berube, Debtor
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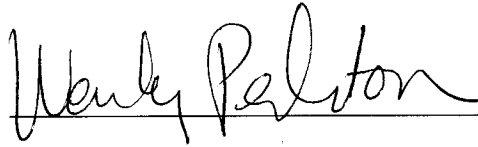
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1 I caused such envelopes to be deposited in the mail at Carmel Valley, California. The
2 envelopes were mailed with postage thereon fully prepaid. I am aware that on motion of party
3 served, service is presumed invalid if Postal cancellation date or postage meter date is more than
4 one (1) day after date of deposit of mailing in affidavit.
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6 I declare under penalty of perjury under the laws of the United States of America that the
7 foregoing is true and correct.
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9 Executed on May 20, 2008



10 Wendy Pendleton
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